

Vacant, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



Patrick H. West, City Manager  
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

## **PRESENTATION ON WEEK OF THE CHILD**

## **SEASON OF NON-VIOLENCE WRAP-UP**

## **PROCLAMATION FOR EARTH DAY**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

### **HEARINGS:**

1. 09-0378 Recommendation to conduct a public hearing on proposed amendments to the Zoning Regulations regarding Green Building requirements; and receive supporting documentation into the record, conclude the hearing and declare ordinance amending the Zoning Regulations read the first time and laid over to the next regular meeting of the City Council for final reading; and
  
- 09-0379 Receive supporting documentation into the record, conclude the hearing and adopt resolution authorizing City Manager to submit amendments to the Long Beach Zoning Regulations to the California Coastal Commission for its review and approval as an implementing ordinance of the Local Coastal Program. (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

2. 09-0380 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with conditions, on the application of Club Investment LP, dba Ice Bar, 49 South Pine Avenue, for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

3. 09-0381 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule for specified City services for the following departments: City Clerk; City Prosecutor; Community Development; Development Services; Financial Management; Gas and Oil; Fire; Health and Human Services; Library Services; Long Beach Airport; Parks, Recreation and Marine; Police; and Public Works Departments. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

**NOTICE TO THE PUBLIC**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless the Mayor, City Councilmembers or the City Manager request specific items be discussed and/or removed from the Consent Calendar for separate action.

**CONSENT CALENDAR: (4 - 17)**

4. 09-0383 Recommendation to receive and file 3rd and 4th Quarters of Cash and Investments for the quarters ending June 30, 2008, and September 30, 2008.

**Office or Department:** CITY AUDITOR

**Suggested Action:** Approve recommendation.

5. 09-0406 Recommendation to receive and file the Purchasing Card Audit.  
**Office or Department:** CITY AUDITOR  
  
**Suggested Action:** Approve recommendation.
6. 09-0384 Recommendation to approve the City Council minutes and the Budget Meeting minutes for the meetings of Tuesday, April 7, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
7. 09-0385 Recommendation to refer to City Attorney damage claims received between April 6, 2009 and April 13, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
8. 09-0386 Recommendation to approve the destruction of records for the Human Resources Department as shown in Exhibit A; and adopt resolution.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
9. 09-0382 Recommendation to authorize City Manager, or designee, to execute a second amendment to the agreement between the City of Long Beach and the County of Los Angeles to provide HIV/AIDS Health Education/Risk Reduction services in the amount of \$104,478 for the period of January 1, 2009 through June 30, 2009. (Citywide)  
**Office or Department:** HEALTH AND HUMAN SERVICES  
  
**Suggested Action:** Approve recommendation.

10. 09-0387      Recommendation to authorize City Manager, or designee, to execute a First Amendment to Contract No. 31000 with Gen-Probe Sales and Service, Inc., to increase the annual contract amount to purchase diagnostic test kits for an amount not to exceed \$225,000, plus a ten percent contingency for additional test kits if necessary, with the option to extend the contract for two additional years at the discretion of the City Manager. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:**    Approve recommendation.

11. 09-0388      Recommendation to adopt resolution to temporarily close and remove from public use a portion of Shoreline Drive in connection with the 2009 Long Beach Lesbian and Gay Pride Parade and Festival. (District 2)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:**    Approve recommendation.

12. 09-0326      Recommendation to authorize City Manager to execute a First Amendment to Lease No. 29143 between the City of Long Beach and Malibu Ceramic Works, a California corporation, for City-owned property located at 903 Fairbanks Avenue, in order to re-define in-kind programming. (District 1)

**Office or Department:** PARKS, RECREATION AND MARINE;  
COMMUNITY DEVELOPMENT

**Suggested Action:**    Approve recommendation.

13. 09-0389      Recommendation to adopt resolution ordering the summary vacation of those certain alleys west of Atlantic Avenue and north of 15th Street adjacent to the Roosevelt Elementary School. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:**    Approve recommendation.

14. 09-0390      Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at George's Greek Cafe located at 100 West Broadway Street, Suite 1200. (District 2)  
**Office or Department:** PUBLIC WORKS  
  
**Suggested Action:**    Approve recommendation.
15. 09-0391      Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Pasta Al Dente located at 5856 Naples Plaza. (District 3)  
**Office or Department:** PUBLIC WORKS  
  
**Suggested Action:**    Approve recommendation.
16. 09-0392      Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Starbucks located at 3900 East Ocean Boulevard. (District 3)  
**Office or Department:** PUBLIC WORKS  
  
**Suggested Action:**    Approve recommendation.
17. 09-0393      Recommendation to receive and file minutes for:  
Civil Service Commission - April 1, 2009.  
**Office or Department:** VARIOUS  
  
**Suggested Action:**    Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

18. 09-0395      Recommendation to respectfully request that City Council discuss in closed session the progress of the Real Estate Exchange agreement involving the 12.1 acres of City-owned land for surface rights to approximately 33.77 acres of privately owned wetlands before authorizing the City Manager to execute the agreement.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:**    Approve recommendation.
19. 09-0404      Recommendation to respectfully request Mayor and City Council to declare May as "Bicycle Month" in Long Beach to promote alternative mobility options and healthier lifestyles for our residents; and
- Request City Manager to work with local and regional organizations to support the following bicycle events occurring in Long Beach:
- Changing Gears - May 2nd
  - Bike To Work Day - May 14th
  - Car Free Fridays - May 22nd, then every First Friday through summer
  - Tour de Cure - May 31st
  - Los Angeles River Ride - June 7th
  - Long Beach Children & Families Ride - June 7th
- Office or Department:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT
- Suggested Action:**    Approve recommendation.
20. 09-0405      Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on April 14, 2009.
- Office or Department:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT
- Suggested Action:**    Approve recommendation.

21. 09-0403 Recommendation to approve an amendment to Civil Service Rules and Regulations, Section 115 – Exceptions to Rules May Be Authorized.

**Office or Department:** CIVIL SERVICE

**Suggested Action:** Approve recommendation.

22. 09-0396 Recommendation to authorize City Manager to execute any and all documents necessary for reciprocal Grant of Easements and a Right of Entry Agreement with the Long Beach Unified School District; and

Authorize City Manager to accept the conveyance of Redevelopment Agency-owned property located at 1790 Atlantic Avenue as part of the public sidewalk and street improvement project. (District 6)

**Office or Department:** COMMUNITY DEVELOPMENT;  
DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

23. 09-0397 Recommendation to adopt Specifications No. PA-00608 and award contract to Scher Tire, Inc., for the purchase of vehicle tires in the amount of \$480,000 for a period of one year, with the option of renewing for one additional one-year period, and adding expenditures up to 10 percent (or \$48,000) above the annual contract amount, if necessary and if funds are available, at the discretion of the City Manager; plus an additional \$153,000 to cover expenditures made during the procurement process, for a total of \$633,000 in the first year. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT; PUBLIC WORKS

**Suggested Action:** Approve recommendation.

24. 09-0398      Recommendation to authorize City Manager, or designee, to execute all necessary documents, and any subsequent amendments, between the City of Long Beach and the United States Department of Housing and Urban Development (HUD) to accept American Recovery and Reinvestment Act funding in the amount of \$3,874,939 for the Healthy Homes Initiative (\$874,992) and the Lead-Based Paint Hazard Control Program (\$2,999,947) for a period of three years from April 1, 2009 through March 31, 2012; and increase appropriations in the Health Fund (SR 130) and in the Department of Health and Human Services (HE) by their respective amounts for a total of \$3,874,939. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:**    Approve recommendation.
25. 09-0401      Recommendation to receive and file the application of CLE All Stars Cafe Incorporated, dba La Lune Restaurant, for an original Alcoholic Beverage Control License, at 1458 Atlantic Avenue, with conditions. (District 6)
- Office or Department:** POLICE
- Suggested Action:**    Approve recommendation.
26. 09-0394      Recommendation to increase the contingency percentage for Contract No. 30696 with Brian Mendoza, dba Freeway Electric, for the installation of streetlights at California State University at Long Beach on Bellflower Boulevard and Palo Verde Avenue, from 15 percent to 25 percent due to extra work required relating to SCE meter locations. (District 3)
- Office or Department:** PUBLIC WORKS
- Suggested Action:**    Approve recommendation.
27. 09-0361      Recommendation to authorize City Manager to allocate Public, Education and Government (PEG) fee revenue equally among the three categories of cable access providers, each receiving one-third of the total available. (Citywide)
- Office or Department:** TECHNOLOGY SERVICES
- Suggested Action:**    Approve recommendation.



**ORDINANCES:**

28. 09-0339 Recommendation to declare ordinance involving the temporary limitation (moratorium) on smoking lounges; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-09-0009) (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

29. 09-0278 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 21.60, Divisions I through III, relating to relocation assistance, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

30. 09-0362 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.33.020 relating to the Citizens' Advisory Commission on Disabilities, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

31. 09-0363 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 15.40.130; and by repealing Section 15.40.140 and Section 15.40.150, all relating to natural gas pipeline regulations, read and adopted as read. (Citywide)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

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**PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT**

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

**STANDING COMMITTEE REMINDERS:**

Tuesday, April 21, 2009 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Tuesday, April 28, 2009 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, May 5, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th floor conference room.

Tuesday, May 5, 2009 – Elections Oversight Committee at 2:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, May 5, 2009 – Hearing for Mark Kaake, dba Ashley's Bar & Grill, for a Permit for Entertainment Without Dancing by Patrons, 1731 E. 4th Street. (District 2)

Tuesday, May 5, 2009 – Hearing to consider an appeal of the Planning Commission's decision to deny a Conditional Use Permit and Local Coastal Development Permit located at 1831 E. 2nd Street (Application No. 0811-05). (District 2)

**NOTE:**

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at [www.longbeach.gov](http://www.longbeach.gov). Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or online at the Main Library and at the Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to [cityclerk@longbeach.gov](mailto:cityclerk@longbeach.gov).

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